

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
)	
vs.)	CRIMINAL ACTION
)	NO. 08-40028-FDS
)	
JOHNNY LOPEZ,)	
Defendant)	
_____)	

ORDER
December 14, 2009

HILLMAN, M.J.

Upon a review of Defendant's Motion For Competency Evaluation And Hearing, this Court finds that there is reason to believe that the above-named Defendant may be presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequence of the proceedings against him or to assist properly in his defense, within the meaning of 18 U.S.C. § 4241(a), and hereby orders as follows:

(1) Pursuant to the provisions of 18 U.S.C. §§ 4241(b) and 4247(b), the above-named Defendant is ordered committed to the custody of the Attorney General for a period not to exceed forty-five (45) days for placement at a suitable facility, designated by the Bureau of Prisons, at which an examination pursuant to 18 U.S.C. § 4247(b) by one or more licensed or certified psychiatrists or clinical psychologists may be conducted.

(2) Pursuant to 18 U.S.C. §§ 4241(b) and 4247(c), it is further ordered that one or more of the licensed psychiatrists or clinical psychologists who examine the Defendant prepare a written report and file said report with the Court and mail copies to Assistant U.S. Attorney Karin Bell, Donohue Federal Building, Suite 206, 595 Main Street, Worcester, Massachusetts 01608, and Stylianus Sinnis, Esq., Federal Defenders Office, 51 Sleeper Street, 5th Floor, Boston, Massachusetts 02210. It is further ordered that the report contain the information specified in 18 U.S.C. § 4247(c)(1)-(3) and 4(A).

(3) Pursuant to 18 U.S.C. § 3161(h)(1)(A), an order of excludable delay for purposes of computing the time within which the trial of this case must commence is hereby entered, excluding from such computation all time commencing on October 19, 2009, the date on which Defendant filed his Motion For Competency Evaluation And Hearing, and concluding on the date of the hearing that will be conducted before this Court under 18 U.S.C. §4247(d) for the purpose of determining the competency of the Defendant, or on such subsequent date that this Court rules on the competency of the Defendant.

/s/ Timothy S. Hillman
TIMOTHY S. HILLMAN
MAGISTRATE JUDGE